

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MINNESOTA

3
4 3M Company,

Civil No. 08-827 (JNE/SRN)

5 Plaintiff,

6
7 v.

ORDER

8 Darlet-Marchante-Technologie SA,

9 Defendant.
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11 The Court has received the Report and Recommendation of the magistrate judge
12 recommending entry of a default judgment. No objections were made to the Report and
13 Recommendation, however, the Court will hold its ruling on the Report and Recommendation in
14 abeyance pending additional information from the counsel for plaintiff. Specifically, the Court is
15 unable to locate evidence that the notice required in Rule 55(b)(2) of the Federal Rules of Civil
16 Procedure has been given. The record does, as the Report and Recommendation observes, contain
17 a certificate of service [Docket No. 73]. That docket number only references service on counsel for
18 plaintiff and makes no reference to the defendant being served. The Court is aware that the
19 defendant corporation is unrepresented, but notice must be given. *See Canal Ins. Co. v. Ashmore*,
20 61 F.3d 15 (8th Cir. 1995).
21

22 Dated: September 17, 2010
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24
25 s/ Joan N. Ericksen
JOAN N. ERICKSEN, Judge
United States District Court
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